

Monte J. White & Associates
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:
George Patrick Sulima
Debtor

§
§
§
§ CASE NO.09-70030-hdh-7
§ HEARING: SEPTEMBER 16, 2009
§ HEARING TIME: 9:00 AM

Gary Stripling and Louise Parten
Plaintiffs,

vs.

George Patrick Sulima
Defendant

§
§ ADVERSARY PROCEEDING NO. 09-07001
§
§
§

UNOPPOSED MOTION TO CONTINUE HEARING ON MOTION FOR SUMMARY JUDGMENT

DEFENDANT, GEORGE SULIMA, in the above-styled cause requests the Court to allow a continuance of the Hearing on Motion for Summary Judgment scheduled for September 16, 2009, at 9:00 AM in the Courtroom of the U.S. Bankruptcy Court, 10th and Lamar Street, Wichita Falls, Texas.

1. The above-referenced adversary proceeding no. 09-07001-hdh was initiated on May 25, 2009.
2. The first summons on Defendant, George Sulima (hereinafter referred to as "Mr. Sulima") was issued on May 26, 2009.
3. No Certificate of Summons Service Executed was filed relating to the first summons.
4. Summons on Mr. Sulima was reissued on July 7, 2009.
5. On July 31, 2009, Plaintiffs filed their First Motion for Summary Judgement.
6. A Notice of Hearing on Motion for Summary Judgment was filed on August 12, 2009, setting the hearing on the motion for September 16, 2009.
7. On September 8, 2009, Plaintiffs' attorneys filed their Certificate of Summons service executed.
8. Mr. White was able to contact Mr. Sulima by phone and an agreement was made that Mr. White would represent Mr. Sulima in the adversary proceeding.
9. Mr. White left the state for a previously scheduled bankruptcy seminar in Lake Tahoe, CA on September 9, 2009, and did not return until the evening of September 13, 2009.
10. As of September 16, 2009, Mr. Sulima agrees to acknowledge proper service of the complaint, scheduling order and summons.

11. Mr. Sulima's attorney, Monte J. White, hereby requests a continuance on Plaintiff's Motion for Summary judgement to the next live docket in Wichita Falls, TX on October 28, 2009. The continuance is necessary for the effective defense of the Motion since attorney has not had adequate time to prepare a Response to the Motion for Summary Judgment and to order and receive certified documentation from previous matters heard in the District Court of San Juan County, New Mexico and/or from the United States Bankruptcy Court for the District of New Mexico.

12. The Motion for Summary Judgment relates to the Plaintiffs' Complaint for Nondischargeability under 11 USC §523 and therefore, is a serious matter deserving of the opportunity for adequate preparation and due process for Mr. Sulima.

FOR THESE REASONS, Defendant, Mr. George Sulima, prays for an order from the Court granting a continuance of the hearing on the Motion for Summary Judgment to October 28, 2009, in this matter.

Respectfully submitted,

/s/Monte J. White
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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that on September 14, 2009, I contacted the attorney for the Plaintiffs, Mr. Richard Feferman, regarding the continuance of this hearing to October 28, 2009 and was advised that the Motion is unopposed.

/s/Monte J. White
Attorney for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 15, 2009, a true and correct copy of the foregoing was served on the following parties by ECF and/or US Mail:

BANKRUPTCY TRUSTEE
Shawn K. Brown
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DEFENDANT
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